

## ATTACHMENT A

## A. Docket 7310 SN 09/037,801 filed 03/10/98

1. Claims of which were first rejected under § 103(a) on 11/24/99 on Hockaday 5,759,712 in view of Hockaday 5,631,099
2. Claims of which were rejected a second time under § 103(a) on 05/17/00 on Arledge 5,437,941. Made final without applicants receiving an opportunity to address Arledge.
3. CPA filed, claims of which were rejected for the third time under § 103(a) on 02/20/01 again on Arledge.
4. Some claims required a tiny micro battery area, e.g., footprint substantially less than 20 cm<sup>2</sup> and an area congruent for size integration with a MEMS microcircuit.

## B. Docket 7310.C SN 09/930,539 filed 08/14/01

1. Thrice rejected claims from parent SN 09/037,801 were placed in this continuing application
2. Some claims required a tiny micro battery area, e.g., footprint substantially less than 20 cm<sup>2</sup> and an area congruent with size integration with a MEMS microcircuit.
3. Petition to Make Special granted
4. The claims of which, after three years of pendency, were rejected a fourth time on 08/05/04 on Bates 5,455,126 under §102(b) and on Bates and Mickka under § 103(a).
5. Notice of Appeal mailed 11/19/04. Appeal Brief and Appendix mailed 12/02/04.

## C. Docket 7310.D1 SN 09/627,959 filed 07/28/00

1. The claims of which were moved forward from SN 09/037,801 to this continuing application and a fifth rejection was made on 05/23/02 under § 103(b) on Bates 5,455,126.
2. All claims except one were rejected a second time on Bates.
3. The one claim became U.S. 6,610,440 and reads:
  1. A microfabricated battery comprising a pair of microscopic electrodes, a microscopic amount of electrolyte disposed in a microscopic site between the electrodes, the microfabricated battery comprising *an area as small as one square micron*.
4. The matter of claiming a tiny area, in this case as small as one square micron, has been in front of Examiner Alejandro continuously since 1998.

## D. Docket 7310.D2 SN 10/317,539 filed 12/10/02

1. Claims moved forward from grandparent SN 09/037,081 to parent SN 09/627,959 to this continuing application.
2. Claims rejected for the sixth time on 08/05/04 under § 102(b) on Bates, some claims being limited to both a MEMS-sized microcircuit and a tiny micro-battery baring an area less than the area of the MEMS.

## E. Docket 7310.D1C SN 10/350,474 Filed 01/24/03

1. Claims moved forward from grandparent SN 09/037,801 to parent SN 09/627,959 to this continuing application.
2. The claims, rejected multiple times in prior cases, were appealed, the Notice of

Appeal being on 04/28/03. The Appeal Brief and Appendix were mailed 06/13/03.

3. The Examiner failed to deal with the Appeal, ignored it and issued a restriction about a year later, on 06/04/04.
4. While the initial appeal was pending and without an Examiner's Answer on any other formal communication, the elected claims were rejected under § 102(b) and § 103(a) on Bates 5,455,126, as were the claims of parent SN 09/627,959, in an Office Action mailed 08/05/04.
5. Thereafter, a second Notice of Appeal was filed 12/06/04 and the Appeal Brief and Appendix were mailed 12/10/04.

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